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**DEC - 9 2008**

Docket No.: 63628(46342)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Chieko Kitada et al.

Application No.: 10/540,494

Confirmation No.: 8374

Filed: May 30, 2006

Art Unit: 1654

For: METASTIN DERIVATIVES AND USE  
THEREOF

Examiner: C. Bradley

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed in response to the Examiner's Office Action mailed August 11, 2008 in the above-identified application. The Examiner referred to non-patent literature citations submitted on February 14, 2008 and June 23, 2005 that were missing author, title and/or date. Hence, these citations were not considered by the Examiner at the time of completion of the Office Action mailed August 11, 2008. Applicants respectfully re-submit the three non-patent literature citations not earlier considered to the Examiner's attention for consideration.

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Copies of the references on the PTO/SB/08 are not provided since they have been previously provided in earlier Information Disclosure Statements of February 14, 2008 and June 23, 2005. However, if the Examiner would like additional copies we would be pleased to provide them.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 63628(46342). A duplicate copy of this paper is enclosed.

Dated: December 9, 2008

Respectfully submitted,

By 

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